

PTO/SB/30 (06-06)
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Request for Continued Examination (RCE) Transmittal	Application Number	09/673,822	Confirmation No. 6747
	Filing Date	October 8, 2001	
	First Named Inventor	Chris Barnes et al.	
	Art Unit	2672	
	Examiner Name	Jeffery A. Brier	
Attorney Docket Number		HIL8/702	

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments entered with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendments entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☐ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other ☐ Fax Cover Sheet (1 pg)
☐ Transmittal (2 pgs)
Copy of Amendment After Final
Based on 1/26/2004 (17 pgs)

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 2 months; Fee under 37 CFR 1.17(b) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 23-3000 I have enclosed a duplicate copy of this sheet.

☒ RCE fee required under 37 CFR 1.17(e)

b. ☒ Extension of time fee (37 CFR 1.126 and 1.17)

a. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-6038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Signature	Date <u>10/15/04</u>
Name (Print/Type) <u>Douglas A. Scholer</u>	Registration No. <u>52,187</u>

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Signature <u>Andith L. Velle</u>	Date <u>October 15, 2004</u>
Name (Print/Type) <u>Andith L. Velle</u>	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to be paid by the USPTO in process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, reviewing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

4. ☐ Attached is a check in the sum of \$_____ for additional claims.
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$_____.
5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	Ext. Mos.	Large entity	Small entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 430.00	\$ 215.00
<input checked="" type="checkbox"/>	three months	\$ 980.00	\$ 490.00
<input type="checkbox"/>	four months	\$1,530.00	\$ 765.00
<input type="checkbox"/>	five months	\$2,080.00	\$1,040.00

\$ 980.00

Extension fee due with this request:

Method of Payment: Please Charge Deposit Account 23-3000 in the amount of \$ 980.00

If an additional extension of time is required, please consider this a petition therefor.

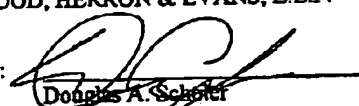
(Check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid thereof of \$_____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.
- OR
- ☐ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:


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Enclosed:

Fax Cover Sheet containing Certificate of Facsimile Transmission (1 page)
 Transmittal containing Certificate of Facsimile Transmission and Request for a Three-Month Extension of Time (2 pages)
 Request for Continued Examination (RFE) (1 page)
 Copy of Amendment After Final Faxed on 8/26/2004 (17 pages)

Page 2 of 2
 Serial No. 09973622
 Transmitted for RCE of October 15, 2004
 W1A23 MILB/702

PAGE 4/23 * RCVD AT 12/16/2004 12:12:11 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-2/4 * DNS:7468573 * CSID:513 241 6234 * DURATION (mm-ss):06-42

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